

In re Patent Application of:  
ROY  
Serial No. 10/780,258  
Filing Date: February 17, 2004

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REMARKS

Claims 1, 3, 5-15, 18-27, 29, and 31-37 remain in this application. Claims 2, 4, 16, 17, 28, and 30 have been previously cancelled. Claims 1, 15, and 27 have been amended.

Applicant thanks the Examiner for the detailed study of the application and prior art.

Applicant has amended each of independent claims 1, 15, and 27 to make the claims consistent in use of the term "mail headers." Thus, if associative information cannot be used, then all mail headers are downloaded as stated at the latter portion of each of those independent claims.

Applicant also addresses the new reference as U.S. Patent No. 5,958,006 to Eggleston et al. (hereinafter "Eggleston") to reject claims 1, 3, 5-9, 11-15, 18-22, 24-27, 29, 31-35 and 37 as anticipated by Eggleston and claims 10, 23 and 36 as obvious over Eggleston in view of U.S. Patent No. 7,240,095 to Lewis.

Applicant contends that the claims are patentable over Eggleston.

The claimed system and method is directed to a mobile device having a mail user agent and a separate mobile office platform (for example, operative as an interface between the mobile device and source mailboxes). The mobile office platform accesses one or more electronic mailboxes of the mail user agent

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using at least one protocol specific connector. This mobile office platform provides only the n-most recent mail headers of electronic messages to the mail user agent in a default order of mail headers provided by an electronic mail protocol used for accessing an electronic mailbox. If the default order of mail headers cannot be provided, then the most recent mail headers are provided in an order based on associative information about an electronic mail provider and/or electronic mailbox to be accessed. If the associative information cannot be used, then all mail headers are downloaded.

A key difference between the claimed system and method as presented in this Amendment and Eggleston is that the claimed system and method downloads the n-most recent mail headers, as compared to Eggleston, which is specifically directed to downloading entire messages (not just the mail headers). In Eggleston, if the messages cannot be downloaded because they do not meet some filtering criteria, such as message size, date or other criteria, then these messages not meeting the filtering criteria are truncated as shown in FIG. 6 of Eggleston. Thus, the claimed system and method is opposite from Eggleston because the claimed system and method downloads only mail headers as compared to Eggleston that downloads entire messages and truncates a message if that message does not meet a filtering criteria as explained in detail below.

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The claimed system and method is directed to solving the technical problem associated when users that have electronic mailboxes receive a large number of electronic mail messages. For example, some users could have thousands of electronic mail messages contained within an electronic mailbox. The POP3 protocol typically used by a mail user agent as on a small mobile wireless communications device, for example, does not have the processing power and built-in processing capability to request a subset of mail from the mobile office platform. This is clearly explained in the Background of the Invention section of the instant application from paragraphs 2-6. In some instances, the mail user agent retrieves the entire list of message headers before performing any operations.

In these systems, as explained in the Background of the instant application, the mail user agent on the communications device may not have enough space to hold the message list and any new electronic mail check takes an extended period of time because any function that requires the mail user agent to look at the message list is subject to delays. The battery life of a mobile device also can be drained as a result of downloading a large message list. Some problems also occur because of translating from one electronic mail protocol to another electronic mail protocol. Not all electronic mail protocols

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support the retrieval of subsets of electronic mail headers in a message list.

The claimed system and method in effect provides a virtual mailbox that is confined to a moving window within the user's mailbox. For example, as noted in claim 1, the mobile office platform provides only the n-most recent mail headers of electronic messages to the mail user agent, which can be changed such as noted in the dependent claims based on system actions and responses, for example, choosing an order based on associative information about the electronic mail provider and/or electronic mailbox to be accessed if the default order does not work. The database associated with the mail office platform can contain records of associative information for electronic mail providers and/or electronic mailboxes to be accessed.

D1, on the other hand, is directed to solving a different technical problem as noted in its Background of the Invention section. For example, paragraph 1 of its Background notes the problem associated with circuit-switched sessions into a mail server or local area network (LAN) because of the high per-minute session charges imposed by a wireless service provider. As noted in the third paragraph of the Background section of D1, in a session-oriented or session-less communication, it is desirable to limit the amount of information communicated between a remote user and host to save off-site user

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time and limit costs arising from more expensive rates for remote communication. Also, as noted in column 2 of D1 in the Background section, there is concern of how to optimize the types and amounts of data being transferred when lack of effective techniques occur from monitoring and controlling an aggregate use of tariffed networks.

D1 solves this by employing a filtering system that allows all messages to pass as a first step unless certain filtering criteria are not met. For example, if the filter cannot pass larger messages based on some date, those messages can be truncated to save bandwidth or cost.

Column 5 starting at line 42 of D1 explains the communication server that includes a controller 229 having a virtual system manager (VSM), which can operate the filters. Column 3 starting at line 10 states that a filter retains all filter rejected mail and transmits mail that can pass through the filters. Thus, only desired data transfers that meet user defined filter specifications are communicated over expensive networks. In D1, either the entire message is passed or no part of the message is passed as a first aspect of D1. This is not the claimed system and method in which only mail headers are passed. The entire message is not passed as clearly explained throughout the description and as now claimed because in the claimed system and method, only the message headers are passed.

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Thus, D1 passes entire messages in a first step unless those messages are filtered while the claimed system and method passes only mail headers and only the n-most recent mail headers in a first step.

The claimed system and method is clearly opposite from D1.

In column 8 starting at line 14, D1 explains filter attributes. Some messages that fail the author or subject filter criteria could still be passed with header information by setting all rejected messages to be passed with a text truncation size as explained in lines 14-55. It should be understood that the filter attributes are still in existence and entire messages are still passed, except those messages that are very large. For example, those larger messages having attachments could be truncated since they did not pass the filter attributes. As a result, a message header could be sent instead of an attachment.

Even this function in D1 is opposite from the claimed system and method in which only the n-most recent mail headers of electronic messages to the mail user agent are passed, as compared to D1, which passes the entire message if it meets a filter criteria but truncates messages (which could include the message header). D1 explains this with reference to the flowchart in FIG. 6 that describes the pre-stage filtering for email filtering. It is first determined whether the entire

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message can be passed by meeting filtering criteria, and if it can, then it is passed. If it is too large, then it could be truncated such as with large text attachments.

This is explained in columns 9 and 10, starting at line 60 in column 9, and continuing through line 9 in column 10 as explained below:

"FIGS. 5 and 6 illustrate two approaches to prestage filtering particularly useful for email filtering. In FIG. 5, a series of five reject filters are applied to each message. If a mail message does not meet any of the criteria (priority, date, size, author, or subject/key word) then it is left unprocessed (steps 502-516). Once all unreviewed messages (i.e., all unprocessed messages, or if expanded marking is available all unprocessed messages not previously filtered) have been filtered, those not rejected are forwarded (step 518). FIG. 6 illustrates the application of granularity filters. If a message exceeds the filter size, it is appropriately truncated (including insertion of a note indicating truncation) (steps 602-606). Similarly, if there are text or file attachments, and these are marked to be filtered, they are stripped with, optionally, a note being inserted alerting the addressee that the attachment was stripped (steps 608-614). Once filtered, the message is sent (step 616)."

The Examiner on page 3 of the Office Action refers to FIG. 6 and block 108 in which Eggleston discloses filtering based on text attachment, and also refers to column 3 at lines 29-34 in which Eggleston allegedly discloses partial transfers of data

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that may not have qualified for transfer. The Examiner uses that language to argue that it corresponds to this function: if the default order of mail headers cannot be provided, then providing the most recent mail headers in an order based on associative information about an electronic mail provider and/or electronic mailbox to be accessed, and if the associative information cannot be used, then downloading all message headers.

As noted above, Eggleston would only make a partial transfer of data if the entire message cannot be downloaded. Eggleston accomplishes this by parsing. In one example as described above, parsing could include the message header. Yet even with parsing some messages, other messages that are below the limit size would pass through the filter and an entire message would be passed at the same time. This is not the claimed system and method in which only n-most recent mail headers are passed and if a default order of mail headers cannot be provided, then using the associative information and if that fails downloading all mail headers.

Furthermore, the claimed system and method is directed to a process not disclosed by Eggleston. A determination is made whether the default order of mail headers is to be provided, and if not, then the system and method determines if associative information is used. If this is not possible, then all mail headers are downloaded. This provides a virtual mailbox that is



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confined to a moving window within the user's mailbox and is changed depending on what the system and method can accomplish.

Eggleston nowhere addresses this problem and nowhere discloses anything to perform this three-step process and system as claimed. Indeed, Eggleston is opposite as noted above.

As to the combination of Eggleston and Lewis with regard to claims 10, 23 and 36 directed to associative information comprising the domain name of the internet service provider used for accessing electronic mailboxes, one skilled in the art would not be motivated to combine Eggleston directed to limiting costs in sessionless or similar communications with the electronic mail notification system of Lewis, which is directed to notifying a subscriber of new email messages located at a post office using a proxy email client. The Lewis system uses information from a file containing subscriber's information to access the subscriber's email account at the post office and retrieves a portion of the email message from the subscriber's account. Lewis sends an email notification to the subscriber for alerting the subscriber of the email message at the post office as explained in its Summary of the Invention section.

FIG. 2 as referenced by the Examiner in Lewis is an embodiment of a format for storing a unique email identification record 60 for tracking each email message and states that a user ID 62 can be used with a checksum 64 that is computed from email

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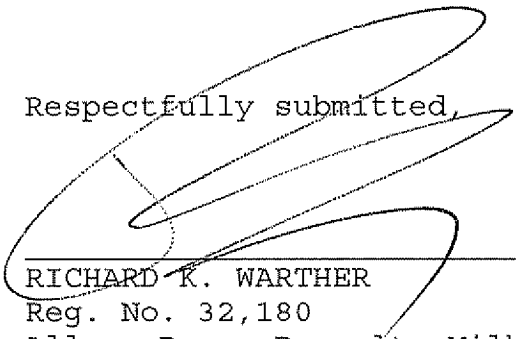
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message headers. Another field includes the ISP domain name 66 of an individual post office. This field is used to reduce the chance of matching checksums and could include a message identification mail header 68 and post office message date 70.

Accordingly, Applicant contends that the claims as presented in this Amendment are not anticipated by Eggleston as explained above or rendered obvious by the combination of Eggleston and Lewis as argued in the Office Action.

Applicant contends that the present case is in condition for allowance and respectfully requests that the Examiner mail a Notice of Allowance and Issue Fee Due. If the Examiner has any questions or suggestions for placing this case in condition for allowance, the undersigned attorney would appreciate a telephone call.

Respectfully submitted,



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